

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ALLEN ATKINS,

Plaintiff,

v.

J. FAIR, et al.,

Defendants.

Case No. 1:22-cv-910

HON. JANE M. BECKERING

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ORDER

Plaintiff, a prisoner in the custody of the Michigan Department of Corrections, filed this civil rights action pursuant to 42 U.S.C. § 1983. Defendants Ward, Demenov, Hoffman, and Erickson filed a Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 33). Plaintiff also filed a Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 38). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 47) on September 29, 2023, recommending that this Court grant Defendants' motion and deny Plaintiff's motion. The Report and Recommendation was duly served on the parties. No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Accordingly:

IT IS HEREBY ORDERED that the Report and Recommendation (ECF No. 47) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendants Ward, Demenov, Hoffman, and Erickson's Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 33) is GRANTED. Defendants Ward, Demenov, Hoffman, and Erickson are terminated from this action.

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment on the Basis of Exhaustion (ECF No. 38) is DENIED.

Dated: October 27, 2023

/s/ Jane M. Beckering
JANE M. BECKERING
United States District Judge